

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

OMAR J. ODETTE,

Plaintiff,

v.

Case Number 09-11484-BC
Honorable Thomas L. Ludington

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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**ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION,
DENYING PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT, GRANTING
DEFENDANT’S MOTION FOR SUMMARY JUDGMENT, AND DISMISSING
PLAINTIFF’S COMPLAINT WITH PREJUDICE**

Magistrate Judge Mona K. Majzoub issued a report and recommendation [Dkt. # 13] on May 3, 2010, recommending that Plaintiff Omar J. Odette’s motion for summary judgment [Dkt. # 9] be denied and that Defendant Commissioner of Social Security’s motion for summary judgment [Dkt. # 12] be granted. The Magistrate Judge further recommended that Plaintiff’s complaint be dismissed. Either party may serve and file written objections “[w]ithin fourteen days after being served with a copy” of the report and recommendations. 28 U.S.C. § 636(b)(1). The district court will make a “de novo determination of those portions of the report . . . to which objection is made.” *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985).

Accordingly, it is **ORDERED** that the magistrate judge’s report and recommendation [Dkt. # 13] is **ADOPTED**.

It is further **ORDERED** that Plaintiff’s motion for summary judgment [Dkt. # 9] is **DENIED**.

It is further **ORDERED** that Defendant's motion for summary judgment [Dkt. # 12] is **GRANTED**.

It is further **ORDERED** that Plaintiff's complaint is **DISMISSED WITH PREJUDICE**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: May 24, 2010

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on May 24, 2010.

s/Tracy A. Jacobs
TRACY A. JACOBS